REMARKS

Claim 4 and 8 are pending. By this response, claims 4 and 8 are amended and claims 5, 9 and 10 are canceled. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

The Examiner rejects claims 4, 5, 8, 9 and 10 under 35 U.S.C. §103(a) as being unpatentable over Ito et al. (US 6,470,266) in view of Inoue et al. (US 6,295,503). This rejection is respectfully traversed.

Applicant's remarks with regard to Ito and Inoue in the previous response dated April 10, 2007 are hereby incorporated by reference.

Claims 4 and 8 have been amended to recite, *inter alia*, a route searching unit for searching for and determining a route to a destination in consideration of road links corresponding to specific roads including car pool lanes, on which determination of whether or not a vehicle is allowed to travel can be performed according to a condition of the vehicle, the route searching unit prompting a driver of the vehicle of the condition of the vehicle including the number of people in the vehicle prior to displaying the determined route, the user setting the condition of the vehicle, and the route searching unit displaying the determined route or performing a new route search and determined based on the conditions set, the road links being included in the map data acquired by said map data acquiring unit ... when the condition of the vehicle that is input thereto in response to the message doesn't meet the requirements for permission to drive in the specific road, said route searching unit performs a new search for the route to the destination by excluding a road link corresponding to the specific road from targets to be searched for and outputs the searched-for route to said output unit for display.

Applicant respectfully submits that the combination of Ito and Inoue fail to teach the above claimed features.

In Ito, map data is displayed where the map data may include restricted roads. Upon approaching the restricted road during operation of a vehicle a user is notified of the restricted road approaching. Thus, Ito teaches the display of restricted roads and the announcement of the restricted road upon approachment to the occupants of the vehicles.

In Inoue, conditions regarding the vehicle are set prior to any type of route determination. The user inputs the destination and also the condition of the vehicle and then the route determination is made and displayed.

The Examiner asserts that at best the combination of Ito and Inoue teaches determining and displaying a route and notifying a user of a restricted road approaching where the route can be readjusted based on the notification to the user by setting conditions appropriate for adjustment to the approaching restricted road. Thus, based upon a determined route which is already displayed, notification is given to an occupant to modify the conditions where the displayed determined route is then recalculated and the recalculated route displayed.

Therefore, the combination of the Ito's and Inoue's teachings do not achieve the claimed features. Applicants note that in the combination of Ito and Inoue, the route is initially displayed and the recalculation performed after the route is displayed where a new calculation is re-displayed.

Applicant respectfully submits that independent claims 4 and 8 disclose embodiments in which route calculation is determined based on restricted roads or specific roads and then the occupant of the vehicle is prompted for the conditions of the vehicle prior to displaying the determined route. If the

conditions input by the occupant are aligned with the determined route it is only then that the determined route is output to a display. If the conditions are not in alignment with the determined route then the route is recalculated based on the conditions and then output for display. Thus, an initial calculation and route is determined based on specific roads, then a user is prompted for conditions of the vehicle and then the route is either recalculated or the already determined route is output for display. All of this happens prior to display of the route.

This is contrary to the combination of teachings of Inoue and Ito as described by the Examiner in which recalculation is based upon prompting of an approaching restricted road from an already displayed and determined route. The combination of Ito and Inoue do not suggest or teach otherwise and certainly do not teach or suggest Applicant's claimed features as recited in independent claims 4 and 8.

Therefore, Applicant respectfully submits that the combination Ito and Inoue fail to teach each and every feature of Applicant's independent claims 4 and 8 as required. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

For at least the above reasons Applicant respectfully submits that claims 4 and 8 are distinguishable over the cited art and in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings Reg. No. 48,917 at the telephone number of the undersigned below, to

conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: December 7, 2007

Respectfully submitted,

By 

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